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TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Express Mail # EH 187464665 US Lynn A. Buckner
Signature

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Applicant : Buckner, Lynn A.
Application No. : 10/624,868
Filed : 22 July 2003
Title : Air over water Excavation

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Response to the 25 August 2009 Office communication concerning proceeding

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Assistant Commissioner for Patents
Washington, D.C. 20231

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In response to the Examiners Election/Restriction requirement, applicant elects claims 23-38 as amended without traverse. Applicant elects Species I, Fig. 1 as being invention I and applicant identifies claims 23-38 as being readable thereon.

Claims 23,25,27-29,35 and 38 are currently amended.

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It is believed that the claims are now in a condition of allowance.

Respectfully submitted,

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